

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PRESIDENT DONALD J. TRUMP, 45<sup>th</sup> President  
of the United States of America, in his individual  
capacity,

Plaintiff,

v.

3:23-cv-06883- PGG

SIMON & SCHUSTER, INC., a New York  
corporation, ROBERT WOODWARD p.k.a. BOB  
WOODWARD, an individual, and PARAMOUNT  
GLOBAL, a Delaware corporation, f/k/a Viacom  
Inc., successor by merger to CBS Corporation, a  
Pennsylvania corporation f/k/a Westinghouse  
Electric Corporation,

Defendants.

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Declaration of Elizabeth A. McNamara dated November 22, 2023 and attached exhibits, and all prior pleadings herein, Defendants Robert Woodward, Simon & Schuster, LLP, and Paramount Global (collectively, “Defendants”) by and through their undersigned counsel, will move this Court before the Honorable Paul G. Gardephe at the Thurgood Marshall United States Courthouse at 40 Foley Square, New York, New York, for an order dismissing Plaintiff Donald J. Trump’s Second Amended Complaint with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6).

Pursuant to the order dated November 8, 2023, Dkt. 68, any opposition by Plaintiff must be served by November 30, 2023, and any reply by Defendants must be served by December 6, 2023. The parties will subsequently file their respective motion papers in compliance with this Court’s Individual Rule IV.C.

Dated: November 22, 2023

**DAVIS WRIGHT TREMAINE LLP**

*/s/ Elizabeth A. McNamara*

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*\*Of counsel to Robert Woodward*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 22, 2023, I caused copies of the foregoing to be sent to counsel of record via electronic mail, which was stipulated by the parties to be sufficient service.

/s/ Elizabeth A. McNamara  
Attorney